

**FOR THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF PENNSYLVANIA**

HANOVER PREST-PAVING CO., t/a
HANOVER ARCHITECTURAL
PRODUCTS,

Plaintiff,

v.

STATEN ISLAND BUILDING
PRODUCTS DIST. INC.,

and

PLASTIC FORWARD LLC

and

WISE GUYS DISTRIBUTORS, INC.

Defendants.

CIVIL ACTION:
No. 1:21-cv-01672- CCC

**DECLARATION OF
ANTOINETTE BURGIO
IN SUPPORT OF WISE
GUYS DISTRIBUTOR
INC.'S MOTION TO
DISMISS THE
AMENDED
COMPLAINT**

Antoinette Burgio, being duly sworn, deposes and says:

1. I am the Chief Executive Officer of Wise Guys Distributors Inc. (“Wise Guys”), a defendant in the above-captioned action. I submit this declaration in support of Wise Guy’s motion to dismiss plaintiff Hanover Prest Paving Co., t/a Hanover Architectural Products (“Plaintiff”) amended complaint (the “Complaint”).

2. The following is based on my personal knowledge and experience, and if called upon, I could testify competently to the same.

3. Wise Guys is an import company that simply receives goods or items shipped by a third-party supplier. Wise Guys does not place any orders with the third party; it merely receives shipments, contacts the entity that placed the shipping request, and then the goods are picked up by the company that placed the shipping request; all of this transpires in Staten Island, New York.

4. Wise Guys is a domestic business corporation organized under the laws of the State of New York in 1998. Wise Guy's principal place of business, and only office, is located at 72 Stephen Loop, Staten Island, 10314.

5. Wise Guys has only one (1) employee.

6. Wise Guys never operated its business in Pennsylvania, and does not have any Pennsylvania employees, bank accounts, or property.

7. Wise Guys does not advertise in any medium in Pennsylvania.

8. At no point has Wise Guys made a sale of any product in Pennsylvania. Wise Guys received import shipments in Staten Island, New York and then sells the contents of the shipment to a business in Staten Island, New York.

9. Wise Guys does not ship any product or items to any entity outside the State of New York and Wise Guys has no customers or sales outside the State of New York.

10. Wise Guy's operations are limited to its business location in Staten

Island, New York.

11. All witnesses or documents relevant to this case (if any) would be located in Staten Island, New York.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge and belief.

Dated: March 30, 2023


Antoinette Burgio